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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/204,585    12/03/98    TREMBLAY    M    SP-3288-US

LM02/0719

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EXAMINER

ENG, D

ART UNIT

PAPER NUMBER

2783

DATE MAILED:

07/19/00

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

09/204,585

Applicant(s)

Tremblay et al.

Examiner

David Y. Eng

Group Art Unit

2783



☐ Responsive to communication(s) filed on \_\_\_\_\_

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1035 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1-29 is/are pending in the applicat

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-29 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2 and 4

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit:

Claims 23-29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The method as recited is merely a flow chart of an idea to operate a processor. The steps as recited in the claim combination are not actually performed by the processors such that a meaningful result is achieved. The method steps actually are reciting the architectural structure (see the first four steps of claim 23) of a processor and the functions ( see the last 2 steps of claim 23) of the components thereof.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yung (5,592,679) in view of Nishimoto (6,023,757).


Yung discloses a system having a plurality of processors and a global register which is shared by the processors. Each of the processors further includes its own local register which can be accessed by the associated processor only. Yung does not show that each of the processor also includes a decoder for decoding VLIW. Decoder and VLIW are well known in the art. Nishimoto shows in Figure 1 a processing system having a local register (line 64, col 5), in Figure 2 a processing system having a global register (line 35, col 7). Both systems also include a decoder

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for decoding VLIW (see abstract). From the teaching of Nishimoto, it would have been obvious to a person of ordinary skill in the art to incorporate a decoder in Yung such that VLIW can be executed.

Claims 1-29 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-22 of copending Application No. 09/204,479 in view of Yung (5,592,679). The claims of copending applications recite a system having a plurality of functional units and a register file. The copending claims do not specify whether the registers are of global and local type. Yung teaches both types of registers. It would have been obvious to a person of ordinary skill in the art to incorporate global register in the system of copending application such that the processors are able to share information via the global registers.

This is a provisional obviousness-type double patenting rejection.



DAVID Y. ENG  
PRIMARY EXAMINER